



# Maricopa County

## News Release

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### MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT ENFORCEMENT PROCEEDINGS FOR SEPTEMBER 2004

(Phoenix)-- The Environmental Services Department initiated legal action against the following facilities/establishments or individuals in September 2004 for violations of the Environmental Health Code and the Maricopa County Air Pollution Control Regulations:

NAME	REASON
Waffle House 1700 N. Dysart Rd. Goodyear, AZ 85338	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"><li>• Cross-contamination risk</li><li>• Improper employee practices</li></ul> Note: This establishment corrected the violations and signed a stipulation agreement.
Osborn Manor 6932 E. Osborn Rd. Scottsdale, AZ 85251	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"><li>• Inadequate PH level in swimming pool water</li><li>• Inadequate chlorine level in swimming pool water</li></ul>
Filiberto's Mexican Food 3033 E. Indian School Rd. Phoenix, AZ 85016	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"><li>• Improper employee practices</li><li>• Improper food temperatures</li></ul> Note: This establishment corrected the violations and signed a stipulation agreement.

Little Caesar's Pizza # 3182 6815 S. Central Avenue Phoenix, AZ 85040	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"> <li>Improper employee practices</li> </ul>
Mimi's Café 21001 N. Tatum Blvd., Bldg. 88 Phoenix, AZ 85050	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"> <li>Improper food temperatures</li> </ul>
Ming's Pagoda Chinese Restaurant 12019 N. 19 <sup>th</sup> Avenue Phoenix, AZ 85029	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"> <li>Improper food temperatures</li> </ul>
Golden Canyon Restaurant 1133 S. Dobson Rd., Suite A7 Mesa, AZ 85202	<b><u>Permit Revocation</u></b> - Permit revocation was requested due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none"> <li>Improper employee practices</li> </ul>
Raliberto's 2426 e. Jefferson Street Phoenix, AZ 85034	<b><u>Permit Suspension</u></b> - Permit to operate was suspended due to laboratory test results showing high levels of bacterial contamination in food samples.
Carniceria Super Flash 2848 N. 43 <sup>rd</sup> Avenue Phoenix, AZ 85009	<b><u>Permit Suspension</u></b> - Permit to operate was suspended due to sewage problems. Violations were corrected and the suspension was lifted.
Las Cazuelas 6020A N. 59 <sup>th</sup> Avenue Glendale, AZ 85301	<b><u>Permit Suspension</u></b> - Permit to operate was suspended due to sewage problems. Violations were corrected and the suspension was lifted.
Mario Torres	<b><u>Citation</u></b> - A Citation was issued for selling food without a permit. Arraignment was scheduled for September 13, 2004. Defendant failed to appear and warrant was issued.

Jose Perez Garcia	<b><u>Citation</u></b> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Pre-trial conference was scheduled for October 12, 2004.
Roger Enrique Salazar	<b><u>Citation</u></b> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Pre-trial conference was scheduled for October 12, 2004.
Marco Antonio Javier Rodriguez	<b><u>Citation</u></b> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for September 16, 2004.
Angela M. Mercado	<b><u>Citations</u></b> - Two Citations were issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for September 30, 2004. Defendant failed to appear and warrant was issued.
Filomena Peralta Lanete	<b><u>Citation</u></b> - A Citation was issued for selling food without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for October 6, 2004.
Margarita Gomez Carrillo	<b><u>Citation</u></b> - A Citation was issued for selling food without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for October 18, 2004.
Maria Arroyo	<b><u>Citations</u></b> - Two Citations were issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for October 4, 2004.
Pablo Castellanos Santos	<b><u>Citation</u></b> - A Citation was issued for selling food without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for October 26, 2004.

Carmen Perez	<b><u>Citation</u></b> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for October 13, 2004.
Faustino Martinez Mendez	<b><u>Citations</u></b> - Two Citations were issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for October 21, 2004
Alicia Martinez Gutierrez	<b><u>Citations</u></b> - Two Citations were issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for October 20, 2004
Suns-Diamondbacks Education Academy 1505 N. Central Avenue Phoenix, AZ 85004	<b><u>Cease and Desist Orders</u></b> –Two Cease and Desist Orders were requested for operating without the required permits from Maricopa County Environmental Services Department. The Cease and Desist Orders were halted because the school is on fall break and the operator agreed to submit plans for approval.
Caribbean Soul BBQ 2525 W. Bethany Home Rd. Phoenix, AZ 85017	<b><u>Cease and Desist Order</u></b> – A Cease and Desist Order was requested for failure to qualify for the required permit from Maricopa County Environmental Services Department. Violations were corrected and permit to operate was approved.
The Lakes at Metro 11050 N. Biltmore Dr. Phoenix, AZ 85029	<b><u>Cease and Desist Orders</u></b> – Two Cease and Desist Orders were requested for operating two semi-public bathing places without the required permits from Maricopa County Environmental Services Department. Cease and Desist Orders were halted because violations were corrected and establishment qualified for permit.
Magic Touch Catering 13046 N. Cave Creek Rd. Phoenix, AZ 85022	<b><u>Cease and Desist Order</u></b> – A Cease and Desist Order was requested for operating without the required permit from Maricopa County Environmental Services Department.

Hancock Elementary School 2425 S. Pleasant Dr. Chandler, AZ 85248	<b><u>Cease and Desist Order</u></b> –A Cease and Desist Order was requested for operating without the required permit from Maricopa County Environmental Services Department. The Cease and Desist Order was halted because the school is on fall break and operator agreed to correct the violations.
Navarrete Elementary School 6940 S. Sun Groves Blvd. Chandler, AZ 85224	<b><u>Cease and Desist Order</u></b> –A Cease and Desist Order was requested for operating without the required permit from Maricopa County Environmental Services Department. The Cease and Desist Order was halted because the school is on fall break and operator agreed to correct the violations.
Quail Point 3045 N. 67 <sup>th</sup> Avenue Phoenix, AZ 85033	<b><u>Notice of Violation and Demand for Compliance</u></b> – A Notice of Violation and Demand for Compliance was issued for violations of the Maricopa County Environmental Health Code.
Tri-Western Meat packing, Inc. 515 South 83 <sup>rd</sup> Avenue Tolleson, AZ 85353	<b><u>Notice of Violation and Demand for Compliance</u></b> – A Notice of Violation and Demand for Compliance was issued for violations of the Arizona Revised statutes and the Maricopa County Environmental Health Code.
Americinn Motel/Willows 850 E. Wickenburg Way Wickenburg, AZ 85358	<b><u>Notice of Violation and Demand for Compliance</u></b> – A Notice of Violation and Demand for Compliance was issued for violations of the Maricopa County Environmental Health Code.
Circle K Store #1968 4303 S. 19th Ave. Phoenix, AZ 85041	<b><u>Order of Abatement by Consent</u></b> – Standing Gasoline Penalty \$1,333.00
Circle K #2890 3543 E. Oak St. Phoenix, AZ 85008	<b><u>Order of Abatement by Consent</u></b> – Standing Gasoline Penalty \$1,333.00
Circle K #2873 3930 E. Southern Ave. Phoenix, AZ 85040	<b><u>Order of Abatement by Consent</u></b> – Standing Gasoline Penalty \$1,334.00
Bethany Lodge AZ Discount Demolition, 316 E. Bethany Home Rd. Phoenix, AZ 85012	<b><u>Order of Abatement by Consent</u></b> – Asbestos Penalty \$6,085.00

Bethany Lodge, Robert Pickering 316 E. Bethany Home Rd. Phoenix, AZ 85012	<b><u>Order of Abatement by Consent</u></b> – Asbestos Penalty \$3,115.00
M E Global 5857 S. Kyrene Rd. Tempe, AZ 85283	<b><u>Order of Abatement by Consent</u></b> – Solvent Cleaner Penalty \$3,250.00
B J Auto Spa IV 12621 N. Paradise Village Pkwy #200 Phoenix, AZ 85032	<b><u>Order of Abatement by Consent</u></b> - Standing Gasoline Penalty \$600.00
Cochise Contractors 333 N. Black Canyon Hwy Phoenix, AZ 85009	<b><u>Settlement Agreement</u></b> – Fugitive Dust Emission Penalty \$1,311.00
Shelly Construction 2164 E. Broadway Rd. 300 Tempe, AZ 85282	<b><u>Settlement Agreement</u></b> – Fugitive Dust Emission Penalty \$1,600.00
Pauley Construction 2041 W. Adobe Dr. Phoenix, AZ 85027	<b><u>Settlement Agreement</u></b> – No Dust Permit Penalty \$600.00.00
Del Webb Home Construction 14780 W. Mountain View Rd. Surprise, AZ 85376	<b><u>Settlement Agreement</u></b> – Fugitive Dust Emission Penalty \$600.00.00
Montalbano Homes 4800 N. Scottsdale Rd. 2200 Scottsdale, AZ 85251	<b><u>Settlement Agreement</u></b> – No Dust Permit Penalty \$1,200.00
Montalbano Homes 4800 N. Scottsdale Rd. 2200 Scottsdale, AZ 85251	<b><u>Settlement Agreement</u></b> – No Dust Permit Penalty \$600.00.00
The Weitz Company 444 N. 44th St. 105 Phoenix, AZ 85008	<b><u>Settlement Agreement</u></b> – No Dust Permit Penalty \$1,100.00
Del Sol Builders P.O. Box 5598 Sun City, AZ 85376	<b><u>Settlement Agreement</u></b> – No Dust Permit Penalty \$340.00

Gray Palmer Construction 2555 E. Camelback Rd. 1050 Phoenix, AZ 85016	<b><u>Settlement Agreement</u></b> – Fugitive Dust Emission Penalty \$600.00.00
Desert West Development 11259 E. Via Linda #100-937 Scottsdale, AZ 85254	<b><u>Settlement Agreement</u></b> – No Dust Permit Penalty \$300.00

The Environmental Services Department uses one of the following methods of legal action to enforce the Environmental Health Code and the Maricopa County Air Pollution Control Regulations:

- A Permit Revocation** may be initiated against a facility/establishment that has not demonstrated compliance or has been found in violation of any applicable code or rule. Permit revocation may also be initiated against trailer parks, hotels, semi-public swimming pools, and retail food establishments.

- A Permit Suspension** may occur immediately for serious environmental health code violations, which pose a major health hazard, or for air quality violations. The facility/establishment would not be permitted to operate.

- Citations** are issued for violations of the health code or air pollution control regulations. The citation directs the defendant to appear for arraignment in Justice Court.

- Cease and Desist Orders** are issued for serious violations of the environmental health code. The violation must be corrected immediately and a hearing may be requested. Disregarding the order will result in injunctive action in Maricopa County Superior Court.

- Order of Abatement** is issued to individuals or corporations for violations of the Maricopa County air pollution control regulations.

- Settlement Agreement** means the violation was resolved by the County Attorney's Office.

